

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

**IN THE INTEREST OF: T.W.C. and D.K.C.;
F.W.M.,**

APPELLANT

vs.

**CHILDREN'S DIVISION OF THE DIVISION OF SOCIAL SERVICES,
RESPONDENT**

**JUVENILE OFFICER,
RESPONDENT**

DOCKET NUMBER WD71740 (Consolidated with WD71741)

DATE: AUGUST 3, 2010

Appeal from:

The Circuit Court of Randolph County, Missouri
The Honorable David C. Mobley, Judge

Appellate Judges:

Division Three: Victor C. Howard, P.J., Thomas H. Newton and Gary D. Witt, JJ.

Attorneys:

Kirk S. Zwink, for Appellant

Gary L. Gardner, for Respondent Missouri Children's Division

Jill Creed, for Respondent Juvenile Officer

MISSOURI APPELLATE COURT OPINION SUMMARY

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

**IN THE INTEREST OF: T.W.C. and D.K.C.;
F.W.M., APPELLANT**

v.

**CHILDREN'S DIVISION OF THE DIVISION OF SOCIAL SERVICES, RESPONDENT
JUVENILE OFFICER, RESPONDENT**

WD71740 (Consolidated with WD71741)

Randolph County, Missouri

Before Division Three Judges: Victor C. Howard, P.J., Thomas H. Newton and Gary D. Witt, JJ.

F.M. is the natural father of D.K.C. and T.W.C., both born on April 30, 2004. At the time of a hearing on petitions to terminate Father's parental rights, Father was thirty-six years old and had been continuously incarcerated since he was eighteen years old, except for a thirteen month period during which the children were conceived and born. The trial court entered a judgment terminating Father's parental rights, finding that he was an unfit parent. Father appeals.

AFFIRMED.

Division Three holds:

Where the evidence showed that Father had not had physical contact with the children since they were four months old; Father did not request visitation with the children while he was in prison; Father's efforts to create a relationship with the children did nothing to foster a bond between himself and the children; the children were closely bonded with their foster parents; and an attempt to create a relationship between the children and Father could take years and could be damaging to the children, the trial court's determination that Father was unfit to be a party to the parent and child relationship was supported by clear, cogent, and convincing evidence. Additionally, the same evidence supported the trial court's finding that termination of Father's parental rights was in the best interests of the children and, therefore, the trial court did not abuse its discretion in making its determination.

Opinion by: Victor C. Howard, Judge

Date: August 3, 2010

<p>This summary is <i>UNOFFICIAL</i> and should not be quoted or cited.</p>
--